

GOVERNMENT OF ANDHRA PRADESH
A B S T R A C T

Public Services – Sri J. Manohar, Joint Director of Works Accounts, Ongole – Dereliction of duties by not obeying the orders of higher authorities - Initiation of Departmental proceedings under Rule 20 of the Andhra Pradesh Civil Services (Classification, Control and Appeal) Rules, 1991 - Article of Charges - Issued.

FINANCE (WA.II) DEPARTMENT

G.O. Rt No. 1793

Dated:17-04-2012.

Read the following:-

1. Finance (W&P) Department U. O. Note. 3117/F9 (A2)/2011-8, dated. 12.3.2012.
2. Finance (WA.II) Department Memo No. 7863/151/WA.II/2012, dated. 24.03.2012.
3. From the Director of Works Accounts Letter No. DOWA/Hyd/Sn.I/EC.6/2011-12/01, dated: 03.04.2012.

ORDER:

It is proposed to hold an inquiry against Sri J. Manohar, Joint Director of Works Accounts, Ongole for not obeying the instructions of higher authorities and issued posting orders to Sri P. Narsimha Rao, Superintendent (on leave) to the office of the APAO, TGP, Nellore in accordance with the procedures laid down in rule 20 of the Andhra Pradesh Civil Services (Classification, Control and Appeal) Rules, 1991.

2. The substance of the imputations of misconduct or misbehavior in respect of which the inquiry is proposed to be held as is set out in the enclosed statement of articles of charges (Annexure-I). A statement of imputation in support of each articles of charge is enclosed (Annexure-II). A list of documents by which, and a list of witnesses by whom the articles of charge are proposed to be sustained are also enclosed (Annexure III and Annexure-IV).

3. Sri J. Manohar, Joint Director of Works Accounts, Ongole is directed to submit a written statement of his defence within 30 days of the receipt of these orders.

4. Sri J. Manohar, Joint Director of Works Accounts, Ongole is informed that an inquiry will be held only in respect of those articles of charges as are not admitted. He should therefore specifically admit or deny each article of charge.

5. Sri J. Manohar, Joint Director of Works Accounts, Ongole is further informed that if he does not submit his written statement of defence on or before the date specified in para 3 above, further action will be processed based on the material available.

(P.T.O.)

6. The attention of Sri J. Manohar, Joint Director of Works Accounts, Ongole is invited to Rule 24 of the A.P. Civil Services (Conduct) Rules, 1991 under which no Government servant shall bring or attempt to bring any political or outside influence to bear up on any superior authority to further his interest in respect of matters pertaining to his service under the Government. If any representation is received on his behalf from another person in respect of any matter dealt with in these proceedings, it will be presumed that Sri J. Manohar, Joint Director of Works Accounts, Ongole is aware of such representation and that it has been made at his instance and action will be taken against him for violation of rule 24 of the A.P. Civil Service (Conduct) Rules, 1991.

7. The receipt of these orders be acknowledged.

(BY ORDER AND IN THE NAME OF THE GOVERNOR OF ANDHRA PRADESH)

L. PREMACHANDRA REDDY,
SECRETARY TO GOVERNMENT (W&P)

To:

Sri J. Manohar, Joint Director of Works Accounts, Ongole
through the Director of Works Accounts, Hyderabad.

Copy to:

The Director of Works Accounts, Hyderabad.

SF/SCs.

//FORWARDED: :BY ORDER //

SECTION OFFICER.

ANNEXURE – I

Statement of articles of charges framed against Sri.J. Manohar, JDWA, Ongole.

Charge:

That the said Sri J. Manohar, JDWA, Ongole has not followed the instructions of the higher authorities and issued posting orders to Sri. P. Narsimha Rao, Superintendent (on leave) to the office of the APAO, TGP, Nellore. This amounts to dereliction of duties and disobedience to the orders of the higher authorities.

Thus, he has violated the official procedures and APCCA conduct rules 1991. Hence the charge.

L. PREMACHANDRA REDDY,
SECRETARY TO GOVERNMENT (W&P)

//FORWARDED: :BY ORDER //

SECTION OFFICER.

ANNEXURE – II

Statement of imputation in support of each articles of charge in respect of Sri.J. Manohar, JDWA, Ongole.

Sri. G. Koteswara Reddy, Superintendent (on leave) has represented the Government on 04.08.2011 to transfer him to the office of the APAO, W&P, Nellore in the vacancy going to arise on 31.08.2011. The Government have called for the remarks of the Director of Works Accounts, Hyderabad in the matter vide Memo. No. 2863/F9 (A2)2011-1 of Finance (W&P) Department Dated 11.08.2011. In turn the Director of Works Accounts, Hyderabad vide Lr No.DWA/Hyd/Sn-I/EC-3/2011-12/105, dated 18.08.2011 has submitted report to the Government on the representation of Sri. G. Koteswara Reddy, Superintendent (on leave). While submitting the report to the Government, the Director of Works Accounts, Hyderabad has requested the JDWA, Ongole not to fill up the arising vacancy of Superintendent in the O/o APAO, TGP, Nellore till further instructions from the Government.

Further, Sri P. Narsimha Rao, Superintendent working in the office the APAO, Ligamguntla has proceeded on commuted leave from 01.05.2011 to 31.05.2011 initially on medical grounds without producing the medical certificate as he was suffering from jaundice and extended leave upto 08.09.2011. In the mean while, the JDWA, Ongole have issued promotion orders to Sri M. Ch. Kasanna Naik as Superintendent on 02.09.2011 in the leave vacancy of Sri. P. Narsimha Rao Superintendent vide Proc. No. JDWA/W&P/ Ongole/2011-12/220 dated.02.09.2011.

On 09.09.2011, Sri. P. Narsimha Rao, Superintendent (on leave) has approached the JDWA, Ongole for issue of posting orders after expiry of his commuted leave. The JDWA, Ongole while enclosing the leave application of the individual has sought clarification of Director of Works Accounts, Hyderabad for the further course of action on the representation of the individual for issue of posting orders. In turn the Director of Works Accounts, Hyderabad vide Memo. No. DWA/HYD/ Sn.I/EC.3/2011-12/132 dated 17.09.2011 have issued clarification to the JDWA, Ongole not to fill up the vacant post of the Superintendent in the O/o APAO, TGP, Nellore till orders of Government are received on the representation of the Sri G. Koteswara Reddy, Superintendent and also requested the JDWA, Ongole to take necessary action as per rules to accommodate the Sri. P. Narsimha Rao, Superintendent who has reported for duty after expiry of leave.

Meanwhile Sri P. Narsimha Rao, Superintendent, who is waiting for posting orders has approached the Hon'ble APAT in O. A. No. 7618/2011 for issue of posting orders to the O/o APAO, TGP, Nellore in the existing vacancy. The Hon'ble court while admitting the O.A on 27.09.2011 have issued interim directions as follows:

(P.T.O.)

“In the circumstances, as an interim measure, the respondent no 3 is directed to admit the applicant forthwith in the existing vacancy of APAO, TGP, Nellore”

Before implementing the above orders of Hon'ble APAT, he might have sought for clarification/orders of the higher authorities (i) i.e., Director of Works Accounts or Government before issue of posting orders to Sri. P. Narsimha Rao, Superintendent to the O/o APAO, TGP, Nellore as he know that the request of Sri. G. Koteswara Reddy, Superintendent for transfer to the same post is pending at Government level and Director of Works Accounts has also specifically issued instructions not to fill up the arising vacancy of Superintendent in Office of APAO, TGP, Nellore till further instructions from the Director of Works Accounts/ Government (ii) or filling Vacation Petition informing the position to the Hon'ble APAT. But he has not followed the above and implemented the interim orders dated. 27.09.2011 of Hon'ble APAT on 30.09.2011 vide his Proceedings No. JDWA/W&P/Ongole/Sn.1/Admn/2011-12/258 dated.30.09.2011.

The Government have instructed to obtain explanation of the JDWA, Ongole vide its Memo No. 3117/F9/A2/2011-6 dated.30.01.2012. In turn, the Director of Works Accounts have communicated the same to JDWA, Ongole for his explanation vide Memo No. DWA/Hyd/Sn.I/EC.3/2011-12/313 dated 09.02.2012. But he has not submitted the explanation so far.

This amounts to dereliction of duties and disobedience to the orders of the higher authorities. Thus, he has violated the official procedures and APCCA conduct rules 1991.

Hence, the charge.

L. PREMACHANDRA REDDY,
SECRETARY TO GOVERNMENT (W&P)

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ANNEXURE – III

**List of documents by which article of charge framed against Sri. J. Manohar,
JDWA, Ongole are proposed to be sustained**

1. Government Memo.No.2863/F9 (A2)2011-1 of Finance (W&P) Department, dated. 11.08.2011.
2. Lr.No. DWA/HYD/Sn.I/EC.3/2011-12/105 dated 18.08.2011 of Director of Works Accounts, Hyderabad.
3. Memo No. DWA/HYD/Sn.I/EC.3/2011-12/132 dated 17.09.2011 of Director of Works Accounts.
4. Proceedings No. JDWA/W&P/Ongole/Sn-I/Admn/2011-12/258 dated. 30.09.2011 of JDWA, Ongole.
5. Govt. Memo No.3117/F9/A2/2011-6 dated. 30.01.2012 of Fin (W&P) Department.
6. Memo No. DWA/Hyd/Sn.I/EC3/2011-12/313 dated.09.02.2012 of Director of Works Accounts, Hyderabad.
7. Govt. Memo No. 7863/151/WA.II/2012, dated. 24.03.2012 of Fin (WA.II) Department.

L. PREMACHANDRA REDDY,
SECRETARY TO GOVERNMENT (W&P)

//FORWARDED: :BY ORDER //

SECTION OFFICER.

ANNEXURE – IV

**List of witnesses by which article of charge framed against Sri.J. Manohar,
JDWA, Ongole are proposed to be sustained**

NIL

**L. PREMACHANDRA REDDY,
SECRETARY TO GOVERNMENT (W&P)**

//FORWARDED: :BY ORDER //

SECTION OFFICER.